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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,972	07/26/2001	Hechun Chen	519	8161

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BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 GATEHOUSE ROAD
SUITE 100 EAST
FALLS CHURCH, VA 22042-1248

EXAMINER

NGUYEN, SON XUAN

ART UNIT PAPER NUMBER

2664

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/915,972	CHEN ET AL.	
	Examiner	Art Unit	
	SON X. NGUYEN	2664	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Bortolotto et al. (U.S 6,738,825) hereinafter referred to as Bortolotto.

Regarding claim 1, Bortolotto discloses method for automatic system provisioning for an optical network by a network management system, comprising:
detecting a new equipment to be provisioned in the optical network, the new equipment being of an equipment type **(TCC 300 can detect when the card is inserted; See lines 48-51 of column 8);**
automatically selecting a predefined default equipment template corresponding to the type of the new equipment **(Fig. 4A corresponds to default equipment template)**, the selected predefined equipment template comprising a set of equipment parameters and associated predefined values **(TCC 300 determines what type of card it is; see lines 56-57 of column 8);** and

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automatically provisioning the new equipment using the predefined values associated with the set of parameters contained in the default equipment template **(TCC 300 provisioning equipment based on predefined values; See lines 60-63 of column 8).**

Regarding claim 2, Bortolotto discloses the automatically selecting comprising selecting from a set of predefined default equipment templates **(See Fig. 4A)**, the set of predefined default equipment templates including at least one default equipment template selected from the group consisting of DS3, DSI, OC3, OC48, OC12, and OC192 equipment templates **(Low speed and high speed interface cards in Fig. 4A support electrical and optical interfaces with data rates from DS1 up to OC-192; See lines 57-62 of column 5 and lines 26-30 of column 7).**

Regarding claim 3, Bortolotto discloses automatically determining if there is a default equipment protection template corresponding to the equipment type **(By default interface cards, XC2 and TCC2, in Fig. 4A are redundant cards; See lines 15-18 of column 7);**

automatically selecting a default equipment protection template corresponding to the equipment type of the new equipment, the selected default facility template comprising a set of equipment protection parameters and associated predefined values **(TCC 300 determines what type of card it is; see lines 56-57 of column 8);** and

automatically provisioning equipment protection for the new equipment using the redefined values associated with the set of equipment protection parameters contained

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in the corresponding default equipment protection template **(TCC 300 provisioning equipment based on predefined values; See lines 60-63 of column 8).**

Regarding claim 4, Bortolotto discloses the new equipment is one of equipment type DSI and DS3 **(Low speed interface cards in Fig. 4A support electrical and optical signals with data rates from DS1, DS3 up to OC48; See lines 57-62 of column 5 and lines 26-30 of column 7 and Fig. 8).**

Regarding claim 5, Bortolotto discloses automatically selecting a default facility template corresponding to a facility of the new equipment, the selected default facility template comprising a set of facility parameters and associated predefined values; and automatically provisioning the facility of the new equipment using the predefined values associated with the set of facility parameters contained in the corresponding default facility template **(TCC 300 determines which of data stream interface cards will receive and provisioning interface card based on provisioning data; See lines 59-63 of column 2).**

Regarding claim 6, Bortolotto discloses the detecting of the addition of the new equipment comprises receiving a notification transmission from one of the new equipment and a network element, the new equipment being part of the network element **(Network element receives response for provisioning request from devices within the network element; See lines 59-63 of column 2).**

Regarding claim 7, Bortolotto discloses the detecting of the addition of the new equipment comprises: transmitting inventory requests to network elements of the network; receiving responses to the inventory requests from the network elements;

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and comparing an equipment database of the network management system with the responses to detect new equipment to be provisioned **(See lines 34-41 of column 3).**

Regarding claim 8, Bortolotto discloses a system for automatic system provisioning for an optical network by a network management system, comprising: a network interface for receiving information from network elements of the optical network **(Network interfaces 130 and 140 in Fig. 1)** ; a processor **(Timing, Control and Communication subsystem TCC 300 of Fig. 3 corresponds to a processor)** configured to automatically detect a new equipment to be provisioned in the optical network based on the received information from the network elements **(TCC 300 can detect when the card is inserted; See lines 48-51 of column 8)**, the new equipment being of an equipment type, the processor is further configured to automatically select a predefined default equipment template corresponding to the type of the new equipment **(TCC 300 determines what type of card it is; see lines 56-57 of column 8)**, the selected predefined equipment template **(Fig. 4A corresponds to default equipment template)** comprising a set of equipment parameters and associated predefined values, wherein the processor is configured to automatically transmit via the network interface the predefined values associated with the set of parameters contained in the default equipment template to automatically provision the new equipment **(TCC 300 provisioning equipment based on predefined values; See lines 60-63 of column 8).**

Regarding claim 9, Bortolotto discloses the processor is configured to automatically select the template from a set of predefined default equipment templates, the set of predefined default equipment templates **(Fig. 4A corresponds to default equipment template)** including at least one default equipment template selected from the group consisting of DS3, DSI, OC3, OC48, OC12, and OC192 equipment templates **(Low speed and high speed interface cards in Fig. 4A support electrical and optical interfaces with data rates from DS1 up to OC-192; See lines 57-62 of column 5 and lines 26-30 of column 7)..**

Regarding claim 10, Bortolotto discloses the processor is further configured to: automatically determine if there is a default equipment protection template corresponding to the equipment type of the new equipment **(By default interface cards, XC2 and TCC2, in Fig. 4A are redundant cards; See lines 15-18 of column 7)**, automatically select a default equipment protection template corresponding to the equipment type of the new equipment, the selected default facility template comprising a set of equipment protection parameters and associated predefined values **(TCC 300 determines what type of card it is; see lines 56-57 of column 8);**and automatically transmit via the network interface the predefined values associated with the set of equipment protection parameters contained in the default equipment protection template to automatically provision the new equipment **(TCC 300 provisioning equipment based on predefined values; See lines 60-63 of column 8).**

Regarding claim 11, Bortolotto discloses the new equipment is one of equipment type DSI and DS3 **(Low speed interface cards in Fig. 4A support electrical and optical signals with data rates from DS1, DS3 up to OC48; See lines 57-62 of column 5 and lines 26-30 of column 7 and Fig. 8).**

Regarding claim 12, Bortolotto discloses the processor is further configured to: automatically select a default facility template corresponding to a facility of the new equipment, the selected default facility template comprising a set of facility parameters and associated predefined values and automatically transmit via the network interface the predefined values associated with the set of facility parameters contained in the corresponding default facility template to provision the facility of the new equipment **(TCC 300 determines which of data stream interface cards will receive and provisioning interface card based on provisioning data; See lines 59-63 of column 2).**

Regarding claim 13, Bortolotto discloses the network interface is further configured to receive a notification transmission from one of the new equipment and a network element, the new equipment being part of the network element **(Network element receives response for provisioning request from devices within the network element; See lines 59-63 of column 2).**

Regarding claim 14, Bortolotto discloses the process is further configured to: transmit inventory requests to network elements of the network via the network interface,

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receive responses to the inventory request via the network interface, and compare an equipment database of the network management system with the responses to detect new equipment to be provisioned (See lines 34-41 of column 3).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Michael Chrabaszcz (U.S 6,263,387) System for automatically configuring a server after hot add of a device.

b) Aoyagi et al. (US-2002/0032761) Method of automatically recognizing network configuration including intelligent packet relay equipment, method of displaying network configuration chart, and system thereof.

c) Hada et al. (U.S 6,665,713) Topology information automatic configuration method and its topology information automatic configuration system.

d) Philippe Monot (U.S 5,708,778) Automatic configuration of protocol parameters in protocol layers for public area.

e) Scrandis et al (U.S 6,694,455) Communications network and method performing distributed processing of fault and alarm objects.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SON X. NGUYEN whose telephone number is 571-272-6048. The examiner can normally be reached on 8 AM -5 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Vanderpuye can be reached on 571-272-3078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

2/23/05
Son X. Nguyen

A handwritten signature in black ink, appearing to be 'Son X. Nguyen', with a long horizontal stroke extending to the right.